

1 McGREGOR W. SCOTT
2 United States Attorney
3 BOBBIE J. MONTROYA
4 Assistant U. S. Attorney
5 501 I Street, Suite 10-100
6 Sacramento, CA 95814-2322
7 Telephone: (916) 554-2700

8 Attorneys for Defendant

9 IN THE UNITED STATES DISTRICT COURT
10 FOR THE EASTERN DISTRICT OF CALIFORNIA

11
12 VIRGINIA NOAH,

13 Plaintiff,

14 v.

15 JO ANNE B. BARNHART,
16 Commissioner of
17 Social Security,

18 Defendant.
19

CASE NO. **2:04-CV-00072-CMK**

STIPULATION AND ORDER
SETTLING ATTORNEY'S FEES
PURSUANT TO THE EQUAL
ACCESS TO JUSTICE ACT

20
21 IT IS HEREBY STIPULATED by and between the parties through their undersigned counsel,
22 subject to the approval of the Court, that counsel for Plaintiff be awarded attorney's fees under the
23 Equal Access to Justice Act (EAJA) in the amount of FOUR THOUSAND TWO HUNDRED FIFTY
24 AND 00/100 DOLLARS (\$4,250.00). This amount represents compensation for legal services
25 rendered on behalf of Plaintiff by Plaintiff's attorney in accordance with 28 U.S.C. § 2412(d).
26

27 This stipulation constitutes a compromise settlement of Plaintiff's request for all fees under
28

the EAJA, and does not constitute an admission of liability on the part of Defendant under the EAJA. Payment of the FOUR THOUSAND TWO HUNDRED FIFTY AND 00/100 DOLLARS (\$4,250.00) in fees shall constitute a complete release from and bar to any and all claims Plaintiff may have relating to EAJA fees in connection with this action.

The parties further stipulate that counsel for Plaintiff will provide a facsimile of this stipulation bearing counsel's signature for retention in Defendant's case file, and hereby authorizes counsel for Defendant to file this document in PDF format under the latter's Electronic Case Filing password, pursuant to Local Rule 7-131.

DATED: July 13, 2005

/s/ Ann M. Cerney

ANN M. CERNEY

Attorney at Law

Attorney for Plaintiff

DATED: July 15, 2005

McGREGOR W. SCOTT

United States Attorney

By: /s/ Bobbie J. Montoya

BOBBIE J. MONTOKA

Assistant U. S. Attorney

Attorneys for Defendant

OF COUNSEL

LUCILLE GONZALES MEIS

Chief Counsel, Region IX

THEOPHOUS H. REAGANS

Assistant Regional Counsel

U. S. Social Security Administration

Re: VIRGINIA NOAH v. JO ANNE B. BARNHART, Case No. 2:04-CV-00072-CMK, Stipulation and Order Settling Attorney's Fees Pursuant to the Equal Access to Justice Act

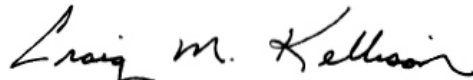
oOo

ORDER

Upon stipulation of the parties, plaintiff in CASE NO. 2:04-CV-00072-CMK, VIRGINIA NOAH v. Jo Anne B. Barnhart, is hereby awarded attorney fees in the amount of \$4,250.00, pursuant to the Equal Access to Justice Act.

APPROVED AND SO ORDERED.

DATED: July 21, 2005



CRAIG M. KELLISON
UNITED STATES MAGISTRATE JUDGE